

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re patent application of:

Nordine CHEIKH *et al.*

Appln. No.: 09/237,183

Filed: January 26, 1999



Confirmation No.: 9529

Art Unit: 1631

Examiner: Ardin H. Marschel

Atty. Docket: 16517.228

For: Nucleic Acid Molecules and Other Molecules Associated with the Sucrose Pathway

**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Mail Stop AF

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed February 24, 2005, that resulted in Applicants having claims that have been twice or finally rejected.

Authorization to charge the official fee for this filing is given in the accompanying transmittal letter.

05/25/2005 SZEWDIE1 00000154 502387 09237183

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Date: May 24, 2005

Of Counsel:

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "T. Holsten".

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May 24, 2005

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Art Unit: 1631
Examiner: A.H. Marschel
Conf. No.: 9529

Re: U.S. Patent Application No. 09/237,183 filed January 26, 1999
Inventors: Nordine CHEIKH *et al.*
Title: Nucleic Acid Molecules and Other Molecules Associated
with the Sucrose Pathway
Atty. Dkt: 16517.228

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences; and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Authorization is hereby given to charge the statutory fee of \$500.00 for filing this Notice of Appeal to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.228. A duplicate copy of this letter is enclosed.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.228. A duplicate copy of this letter is attached.

Respectfully submitted,

Thomas E. Holsten (Reg. No. 46,098)

Enclosures